

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 1278 – SB 1288**

April 14, 2015

**SUMMARY OF ORIGINAL BILL:** Prohibits a member of a county or municipal legislative body from voting on any matter in which the member has a conflict of interest because the member, or the member's immediate family, is an employee of the respective county or municipality. Defines "immediate family" as a spouse, child, stepchild, brother, sister, son-in-law, daughter-in-law, parent, or grandparent of the member.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENTS (005771, 005991):** Amendment 005771 deletes and rewrites the bill such that the amended bill prohibits a member of a county or municipal legislative body from voting on any matter in which the member has a conflict of interest because the member, or the member's immediate family, is an employee of the respective county or municipality. Declares that any member of a local legislative body not able to vote on a matter due to a conflict of interest shall not have their vote counted. Requires a two-thirds vote of the applicable local legislative body to adopt the measure. Defines "immediate family" as a spouse, child, stepchild, brother, sister, son-in-law, daughter-in-law, or parent of the member.

Amendment 005991 adds language to the amended bill such that municipal and county official abstentions from local legislative votes do not count towards a majority.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- This amended bill will have no fiscal impact on state government; applies only to local government.
- Prohibiting a county or municipal legislative body member from voting on an issue because of a conflict of interest is not anticipated to have any significant impact on local government.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

**HB 1278 – SB 1288**

A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly legible.

Jeffrey L. Spalding, Executive Director

/maf